

# PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,  
Sector 16, Chandigarh.

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Whatsapp No. 62848-20189 Cisco Webex: 158 708 3455



Shri Kuldeep Singh Soiya M 9888123403  
Soyia Road, Rajgarh Colony,  
Ward No. 7 Sangrur.

Appellant

Vs

Public Information Officer,  
o/o District Education Officer (SE)  
Sangrur.

First Appellate Authority,  
o/o District Education Officer (SE)  
Sangrur.

Respondents

Appeal Case No.5113/2021

(Video Conference/Telephone Proceedings)

Present:- Sh. Kuldeep Singh, appellant.

Shri Rajesh Kumar, Supdt. along with Ms \_\_\_\_\_ on behalf of  
the respondents.

## ORDER

The RTI application is dated 3.5.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 29.7.2021 and second appeal was filed in the Commission on 10.11.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant has sought the following information:-

4. ਸੂਚਨਾ ਦਾ ਵਿਸ਼ਾ ਵਸਤੂ:- ਮੇਰੇ ਵੱਲੋਂ ਮਿਤੀ 01.11.2020, 11.12.2020 ਅਤੇ 01.03.2021 ਨੂੰ ਭੇਜੇ ਗਏ ਪੱਤਰਾਂ ਤੇ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ, ਪੜਤਾਲ ਰਿਪੋਰਟ, ਬਿਆਨ, ਨੋਟਿੰਗ ਫਾਇਲ, ਪੇਸ਼ ਕੀਤੇ ਦਸਤਾਵੇਜ਼ਾਂ ਅਤੇ ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਭੇਜੇ ਗਏ ਪੱਤਰ, ਰਿਕਾਰਡ ਸਬੰਧੀ।

5. ਸਮਾਂ ਜਿਸ ਨਾਲ ਸੂਚਨਾ ਸਬੰਧਤ ਹੋਵੇ:- 01.11.2020 ਤੋਂ ਸੂਚਨਾ ਦੇਣ ਤੱਕ

6. ਮੰਗੀ ਗਈ ਸੂਚਨਾ ਦੀ ਵਿਆਖਿਆ:-

(1) ਮੇਰੇ ਵੱਲੋਂ ਮਿਤੀ 09.10.2020, 01.11.2020 ਅਤੇ 05.01.2021 ਨੂੰ ਭੇਜੇ ਗਏ ਪੱਤਰਾਂ ਤੇ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵੱਲੋਂ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ, ਪੜਤਾਲ ਰਿਪੋਰਟ, ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਭੇਜਿਆ ਗਿਆ ਰਿਕਾਰਡ, ਟਿੱਪਣੀ, ਨੋਟਿੰਗ ਫਾਇਲ, ਕੀਤੇ ਗਏ ਹੁਕਮਾਂ ਅਤੇ ਸ੍ਰੀ ਗੁਰਮੀਤ ਸਿੰਘ ਵੱਲੋਂ ਪੇਸ਼ ਕੀਤਾ ਰਿਕਾਰਡ, ਬਿਆਨ, ਨੱਥੀ ਰਿਕਾਰਡ ਦੀਆਂ ਤਸਦੀਕ ਕਾਪੀਆਂ।

(2) ਮੇਰੇ ਵੱਲੋਂ ਮਿਤੀ 11.12.2020 ਜੀ-ਮੇਲ ਰਾਹੀਂ ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਨੂੰ ਸ੍ਰੀ ਗੁਰਮੀਤ ਸਿੰਘ ਪ੍ਰਿੰਸੀਪਲ ਸਸਸਸ ਸਕਰੋਦੀ, ਜਿਲਾ ਸੰਗਰੂਰ ਹੁਣ ਪ੍ਰਿੰਸੀਪਲ ਸਸਸਸ ਚਕਰ ਜਿਲਾ ਲੁਧਿਆਣਾ ਵਿਰੁੱਧ ਸ਼ਿਕਾਇਤ ਦੀ ਪੜਤਾਲ, ਪੜਤਾਲੀਆ ਅਫਸਰ ਸ੍ਰੀ ਮਤੀ ਇੰਦੂ ਸਿਮਕ ਪ੍ਰਿੰਸੀਪਲ ਸਸਸਸ (ਕੰ) ਸੰਗਰੂਰ ਕੋਲੋਂ ਨਾ ਕਰਵਾਉਣ ਸਬੰਧੀ ਭੇਜੇ ਗਏ ਪੱਤਰ ਤੇ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ, ਹੁਕਮ, ਨੋਟਿੰਗ ਫਾਇਲ, ਪੜਤਾਲ ਰਿਪੋਰਟ, ਸ੍ਰੀ ਗੁਰਮੀਤ ਸਿੰਘ ਵੱਲੋਂ ਪੇਸ਼ ਕੀਤਾ ਰਿਕਾਰਡ, ਬਿਆਨ, ਨੱਥੀ ਰਿਕਾਰਡ ਦੀਆਂ ਤਸਦੀਕ ਕਾਪੀਆਂ।

(3) ਮੇਰੇ ਵੱਲੋਂ ਮਿਤੀ 01.03.2021 ਨੂੰ ਡਾਇਰੈਕਟਰ ਸਿੱਖਿਆ ਵਿਭਾਗ (ਸੀ.ਸੀ.) ਪੰਜਾਬ, ਦਫਤਰ ਦੇ ਮੀਮੋ ਨੰ: 15/6-17 ਅਮਲਾ 5(4)2020336547 ਮਿਤੀ 23.12.2020 ਦੇ ਹਵਾਲੇ ਅਧੀਨ ਆਪ ਜੀ ਨੂੰ ਭੇਜੇ ਗਏ ਪੱਤਰ ਨੂੰ ਪ੍ਰਾਪਤ ਕਰਨ ਉਪਰੰਤ ਕੀਤੀ ਗਈ ਕਾਰਵਾਈ, ਪੜਤਾਲ ਰਿਪੋਰਟ, ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਭੇਜਿਆ ਗਿਆ ਰਿਕਾਰਡ, ਟਿੱਪਣੀ, ਨੋਟਿੰਗ ਫਾਇਲ, ਕੀਤੇ ਗਏ ਹੁਕਮਾਂ ਅਤੇ ਸ੍ਰੀ ਸਰਵ ਮਿਤਰ ਡੀਲਿੰਗ ਕਲਰਕ ਵੱਲੋਂ ਪੇਸ਼ ਕੀਤਾ ਰਿਕਾਰਡ, ਬਿਆਨ, ਨੱਥੀ ਰਿਕਾਰਡ ਦੀਆਂ ਤਸਦੀਕ ਕਾਪੀਆਂ।

(4) ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਵੱਲੋਂ ਉਕਤ ਪੱਤਰਾਂ ਤੇ ਨੋਟਿੰਗ ਲਗਾ ਕੇ ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਭੇਜੇ ਗਏ ਪੱਤਰ ਅਤੇ ਨੱਥੀ ਦਸਤਾਵੇਜ਼ਾਂ ਦੀਆਂ ਤਸਦੀਕ ਕਾਪੀਆਂ

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Appeal Case No.5113/2021

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3. The representative of the respondents states that the information cannot be supplied to the appellant as the action is being taken in the matter in which the enquiry has already been conducted and final action on the same is yet to be taken by the Director, Public Instructions (SE), Punjab. He further assured that the copies of the sought information will be supplied to the appellant after the finality of the case.

4. After deliberations with both the parties, the respondent-Public Information Officer is directed to supply the certified copy of the forwarding letter sent to the Director, Public Instructions (SE), Punjab to take appropriate action on the enquiry, as per the request of the appellant, with which the respondent-Public Information Officer also agreed to. Also the respondent-Public Information Officer is directed to supply the complete information after the finality of the case as has been assured during the hearing. Accordingly, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

sd

Dated: 20.12.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Shri Sunny Khosla M 8528701504  
#210 Street no. 4 Bajwa Colony,  
Patiala

Appellant

Vs

Public Information Officer,  
o/o Khalsa College Patiala.

First Appellate Authority,  
o/o Khalsa college, Badungar Road,  
Patiala(PB)

Respondents

Appeal Case No.5092/2021  
(Video Conference/Telephone Proceedings)

Present:- Sh. Sunny Khosla on behalf of the appellant.  
Dr. Jagjit Singh, 9988211707 on behalf of the respondents.

## ORDER

The RTI application is dated 18.8.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 21.9.2021 and second appeal was filed in the Commission on 10.11.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The appellant has sought the following information:-

I, have been appointed as 'Steno Typist English' at Sri Guru Granth Sahib World University, Fatehgarh Sahib (Pb) under reference number SGGSWU/REG/3658 dated 25-09-2013 on contract/regular basis and my services has been regularized vide office circular no:289/ਸਮਰਲਾ ਦਾਤਿ 17-02-2017 in which I was entitled to get all the emoluments which are being given in the pay scale of 10300-34800-3600 (GP).

In reference to the letter no-DE/SGPC/2018-19/C-888-93 dated 30-05-2018, I have been transferred to Khalsa College, Patiala on deputation till further orders from Sri Guru Granth Sahib World University, Fatehgarh Sahib (Pb) under the order given by Director, Education (copy attached).

As long as I worked at Khalsa College, Patiala on deputation basis, I was paid only Rs 20,377/-per month. However, the last salary to be paid in the same scale in which I have been transferred from the University. Apart, from this the Director, Education had also written to the Principal Khalsa College through his letter number that the salary of the employee on deputation could not be reduced. However, from 30-05-2018 to 29-12-2018, I was being paid 19665/-Rs and 20377/- Rs

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Appeal Case No. 5092 of 2021

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In view of the above situation, the following information should be provided under RTI Act-2005

2015 to till date

- 1) Supply the copy of rules and decision of competent authority for reduced of my salary during my deputation period from 30-05-2018 to 29-12-2018 from pay scale of 10300-34800+3600 (GP) to fixed/consolidated salary of Rs 20377.(banking copy attached) and Also furnish the copy of rules of Deputation vested in college/SGPC rules.
- 2) Supply the copy of action taken report on letter no- DE/SGPC/2018-19/C-888-93 dated 30-05-2018 sent by Director, Education, SGPC to Principal, Khalsa College, Patiala with regard to my salary given on deputation basis.
- 3) Supply the copy of Administrative/executive powers of principal of Khalsa College OR given by competent authority of SGPC
- 4) Supply the copy of Administrative Reasons U/s 4(1)(d) of RTI Act- 2005 with regard to reduce of my salary during deputation period as Steno as long as I worked at Khalsa College, Patiala
- 5) Provide the copy of the principal power under which he reduced my salary from full pay scale to consolidated/fixed salary.
- 6) Provide the list of names of employees/teachers of Khalsa College, Patiala who have been came on deputation basis at Khalsa College, Patiala and receiving their salaries as per the previous department should be given.
- 7) Provide the copy of all correspondence made between Principal, Khalsa College, Patiala and the competent authority of salary from full pay scale to consolidate/fixed salary during my deputation period from 30-05-2018 to 29-12-2018.
- 8) Provide the copy of calculation sheet of my salary arrear as per L.P.C (Last Pay Certificate) which are being pending with Khalsa College from 30.05.2018 to 29.12.2018 while I was on deputation basis as Steno English.

3. The respondent-Public Information Officer handed over the complete information to the appellant during the course of hearing except Point No. 3 of the RTI application. Also the respondent-Public Information Officer assured that the same will be sent to the appellant by post or through email. After hearing the submissions made by the respondent-Public Information Officer and going through the information supplied, the appellant states he is satisfied with the same.

4. Accordingly, the respondent-Public Information Officer is directed to send the information pertaining to point No. 3 of the RTI application by post or through email to the

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Appeal Case No. 5092 of 2021

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appellant as has been assured. With these directions, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission within four weeks in case he does not receive the same.

Dated: 20.12.2021

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

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Smt. Suman Bala  
House No. 783,  
Top Floor Phase 7, Sector 61,  
Mohali 160062

....Appellant

Vs

Public Information Officer  
o/o Tehsildar,  
Amritsar-2,  
District Amritsar

First Appellate Authority  
o/o Deputy Commissioner,  
District Amritsar.

....Respondents

Appeal Case No. 4808 of 2021

Present:- Smt. Suman bala, appellant along with her husband Sh. Harvinder Kumar, in person.  
Shri Gurbakash Singh, Clerk 8558877624 on telephone, on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 6.12.2021.

2. The appellant has sought the following information:-

Dear Sir/Madam, Please provide me below information.  
Kindly provide me detail of all owners of kharsa number 49/5 MIN 5 KHEWAT NO.477 KHATONI NO.1104 HADH BAST NO.282. Will their intkal numbers District Amritsar -II and land demarcation as per revenue department  
Please intimate me for any additional payments to be made for above information.  
**Note-** Information is sought to be provided by registered post only.  
If whole information may not be provided, then it is requested to please provide me at least partial information as per the severability clause of section 10 of the RTI Act 2005.

3. The representative of the respondents sent a copy of the information through email, which is taken on record. He also states that a hard copy of the same is also being sent to the appellant through registered post. A copy of the same has also been provided to the appellant during the hearing. After going through the information, the appellant states that he is satisfied with the same, and requested for a hard copy of the same.

4. Since, the representative of the respondents assured that a hard copy of the information is also being sent to the appellant. Therefore, the Commission is of the view

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Appeal Case No. 4808 of 2021

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that no further action is required to be taken in this case. Hence, the case is disposed of and closed. A copy of the information so received from the respondent is also being sent to the appellant along with this order.

sd

Dated: 20.12.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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Smt. Suman Bala  
House No. 783,  
Top Floor Phase 7, Sector 61,  
Mohali 160062

....Appellant

Vs

Public Information Officer  
o/o Tehsildar,  
Amritsar-2,  
District Amritsar

First Appellate Authority  
o/o Deputy Commissioner,  
District Amritsar.

....Respondents

Appeal Case No. 4805 of 2021

Present:- Smt. Suman bala, appellant along with her husband Sh. Harvinder Kumar, in person.  
Shri Gurbakash Singh, Clerk 8558877624 on telephone, on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 6.12.2021.

2. The appellant has sought the following information:-

Certify copy of General Power of Attorney in favour of Raman Kumar S/o Dharam Singh by Sh. Raghubir Singh Dutta S/o Gurdiyal Singh Dutta Village Rakh Sikargah Tehsil Amritsar-2 Registered in the office of Sub Registrar office Amritsar Dated 28/09/1995.

3. The representative of the respondents sent a copy of the information through email, which is taken on record. He also states that a hard copy of the same is also being sent to the appellant through registered post. A copy of the same has also been provided to the appellant during the hearing. After going through the information, the appellant states that he is satisfied with the same, and requested for a hard copy of the same.

4. Since, the representative of the respondents assured that a hard copy of the information is also being sent to the appellant. Therefore, the Commission is of the view

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Appeal Case No. 4805 of 2021

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that no further action is required to be taken in this case. Hence, the case is disposed of and closed. A copy of the information so received from the respondent is also being sent to the appellant along with this order.

Dated: 20.12.2021

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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Sh. Upkar Singh  
VPO Chak Desraj,  
Jalandhar 144418  
8264260294

....Appellant

Vs

Public Information Officer  
o/o Secretary,  
General Administration, Punjab  
Punjab Civil Secretariat-1, Chandigarh.

First Appellate Authority  
o/o Secretary,  
General Administration, Punjab,  
Punjab Civil Secretariat-1, Chandigarh.

....Respondents

Appeal Case No. 4859 of 2021  
(Video Conference Proceedings)

Present:- Sh. Upkar Singh, appellant.  
Ms Renu, Sr. Asstt, A.S.R. Cell 9876868146 (on telephone) on behalf of the respondents.

## ORDER

This order may be read with reference to the previous order dated 6.12.2021.

2. The appellant has sought the following information:-

ਸ਼੍ਰੀ ਮਾਨ ਮੀ, ਮੇਰੀ ਪੁਰੀ ਖੋਜਣੀ ਮਿਤੀ 17/02/2021 ਅਤੇ 16/3/2021 ਰਾਹੀਂ  
ਕੋਰ ਅਫ਼ ਦਫ਼ਤਰ ਵੱਲੋਂ ਮੰਗੇ ਗਏ  
① ਸ਼੍ਰੀ ਬਜਟੀਏਰਾ ਸਿੰਘ ਮੁਕਤਸਰੀ ਸੇਵਾ ਮੁਕਤਸਰੀ ਤੋਂ 2020 ਪੇਂਡੂ ਫਿਕਸ  
ਅਤੇ ਪੇਂਡੂ ਪਿਛਾਠ ਪੈਨਾਕ ਅਤੇ  
② ਸ਼੍ਰੀ ਏ. ਅੰਨ. ਤੇਰਗਣੀਆਂ ਸ਼ਾਸਕ ਕੋਰ ਮੁਕਤਸਰੀ ਅਧਿਕਾਰੀ ਪੈਨਾਕ  
ਚੈਂਜੀਅਰ ਦੇ ਪੈਸਟਰ ਅੰਡਰੈੱਸ ਕੋਰ ਪਾਕ ਦਫ਼ਤਰ ਅੰਨ. ਸੀ.ਓ 149-152  
ਸੰਕਰ 17-C ਨੂੰ ਭੇਜਣ ਅਤੇ ਪੁਰਾਣੀ ਨੂੰ ਸੁੱਚਤ ਕਰਨ ਦਾ ਪੁਸ਼ਟ  
ਕਰਨ ਵਾਲੀ ਰਿਪੋਰਟ ਮੰਗਣੀ  
ਹਵਾਲਾ ਅਧੀਨ ਮੀ ਮੇਰੀ ਅਨੁਸਠਾ ਮੁਕਤਸਰੀ ਗਈ ਹੈ।  
ਤੀਜੀ ਖਿਰ ਨਾਕ ਪੈਸੀਓਤ ਹੋਣ ਕਰਕੇ ਪੁਰਾਣੀ ਤੀ ਪੈਸਟਰ ਅੰਡਰੈੱਸ ਮਾਨਯੋਗ  
ਕੋਰ ਅਫ਼ ਦਫ਼ਤਰ ਭੇਜਣ ਨੂੰ ਅਤੇ ਮੈਂ ਕੇ ਵਲ ਅੰਡਰੈੱਸ ਸੀਓ 149-152  
ਤੀ ਭੇਜਣੇ ਗਏ ਜਾਹੁ ਸਾਰੇ ਤੀ ਸੁੱਚਤ ਕਰਨ (ਅੰਡਰੈੱਸ ਨਾ ਤੀ ਰੀ ਰਿਪੋਰਟ ਮੰਗੀ)

3. The appellant sent the written submissions through email, which are taken on record. He also states that the case is going on before the Lokpal, Punjab and the addresses of the persons are required in the said case and requested that the directions may be issued to the respondent-Public Information Officer to supply the sought information.

Contd..p/2

# PUNJAB STATE INFORMATION COMMISSION

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Appeal Case No. 4859 of 2021

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3. It is also appropriate to consider the RTI application of the appellant in accordance with the decision of the Hon'ble Supreme Court of India in Civil Appeal No. 10044 of 2010 – Central Public Information Officer, Hon'ble Supreme Court of India Vs Subhash Chandra Agarwal and the relevant portion of the same is reproduced below:-

“...that personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied.”

4. Keeping in view the above, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed.

Dated: 20.12.2021

sd  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.

# PUNJAB STATE INFORMATION COMMISSION

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Sh. Prem Kumar Rattan,  
House No 78/8, Park Road,  
Navi Mandi, Dhuri,  
Distt Sangrur.  
M : 8509580002

Appellant

Vs

Public Information Officer,  
O/o Director,  
Governance Refoms, PB,  
Mohali.

First Appellate Authority  
O/o Addl. Chief Secretary,  
Department of Governance Reforms, PB,  
Chandigarh.

Respondents

## Appeal Case No. 3717/2021

(Video Conference/Telephone Proceedings)

Present:- Sh. Prem Kumar Rattan on behalf of the appellant.  
Shri Neeraj Clerk, 8054597097 on behalf of the respondents.

### ORDER

This order may be read with reference to the previous order dated 29.11.2021.

2. The appellant has sought the following information:-

ੲ) ਲੋੜੀਂਦੀ ਸੂਚਨਾ ਦਾ ਵੇਰਵਾ

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸੰਬੰਧ ਵਿੱਚ ਖੋਜਣੀ ਹੈ ਕਿ ਢੀਤੇ ਦਿਨੀਂ ਆਪ ਜੀ ਦੇ ਦਫ਼ਤਰ ਵੱਲੋਂ ਇੱਕ ਪੱਤਰ ਨੰਬਰੀ 9/19/2014-1GR1 [2GR1]/134 TO 138 DATED 16.04.2021 ਜਾਰੀ ਕੀਤਾ ਗਿਆ, ਜਿਸ ਵਿੱਚ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ 33 ਵਿਭਾਗਾਂ ਦਾ ਵਰਣਨ ਕਰਦੇ ਹੋਏ 440 ਮੰਦਾਂ ਦਾ ਜਿਕਰ ਕੀਤਾ। ਜਿਸਦੇ ਲਈ ਨੰਬਰ 439 ਵਿੱਚ ਸਾਰੇ ਹੀ ਵਿਭਾਗ ਲਿਖੇ ਹੋਏ ਹਨ। ਸੂਚੀ ਨੂੰ ਧਿਆਨ ਨਾਲ ਪੜਿਆ ਗਿਆ, ਜਿਸਤੋਂ ਸਾਬਤ ਹੁੰਦਾ ਹੈ। ਇਸ ਪੱਤਰ ਅਨੁਸਾਰ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਹਰ ਕੰਮ ਨਾਲ ਸੰਬੰਧਤ ਸੂਚਨਾ ਸੇਵਾ ਕੇਂਦਰਾਂ ਰਾਹੀਂ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜਾ ਸਕਦੀ ਹੈ। ਹੱਕ ਸੂਚਨਾ ਐਕਟ 2005 ਤਹਿਤ ਹੇਠ ਲਿਖੀ ਸੂਚਨਾ ਲੋੜੀਂਦੀ ਹੈ -

1. ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਕੁੱਲ ਕਿੰਨੇ ਸੇਵਾ ਕੇਂਦਰ ਹਨ, ਉਨ੍ਹਾਂ ਦੀ ਸੂਚੀ, ਇਹ ਸੇਵਾ ਕੇਂਦਰ ਕਿਸ ਵਿਅਕਤੀ, ਕੰਪਨੀ ਜਾਂ ਸੰਸਥਾ ਆਦਿ ਆਦਿ ਵੱਲੋਂ ਕਿਸ ਸਮੇਂ ਤੋਂ ਕਿਸ ਸਮੇਂ ਤੱਕ ਠੱਕੇ ਤੇ ਲੈਣ ਸਮੇਂ ਦੌਰਾਨ ਜੋ ਜੋ ਪ੍ਰਤੀਕ੍ਰਿਆ ਅਪਣਾਈ ਗਈ ਸੀ, ਹਰ ਪੱਖੋਂ ਮੁਕੰਮਲ ਸੂਚਨਾ ਪੰਜਾਬ ਤਰ ਦੇ ਸਾਰੇ ਸੇਵਾ ਕੇਂਦਰਾਂ ਦੀ ਲੋੜੀਂਦੀ ਹੈ।
2. ਹੱਕ ਸੂਚਨਾ ਐਕਟ 2005 ਤਹਿਤ ਇਹ ਵੀ ਸੂਚਨਾ ਲੋੜੀਂਦੀ ਹੈ ਕਿ ਜੇ ਸੂਚਨਾ ਹੱਕ ਸੂਚਨਾ ਐਕਟ 2005 ਦੇ ਕਿਸੇ ਵੀ ਧਾਰਾ ਦੀ ਪ੍ਰੋਵੀਜ਼ਨ ਵਿੱਚ ਮਨਾਹੀ ਨਹੀਂ ਹੈ ਕੀ ਉਹ ਆਰ.ਟੀ.ਆਈ ਐਕਟ ਤਹਿਤ ਲਈ ਜਾ ਸਕਦੀ ਹੈ ਜਾਂ ਨਹੀਂ ਦੇ ਸੰਬੰਧ ਵਿੱਚ ਮੁਕੰਮਲ ਸੂਚਨਾ ਲੋੜੀਂਦੀ ਹੈ।
3. ਹੱਕ ਸੂਚਨਾ ਐਕਟ 2005 ਤਹਿਤ ਜਿਨ੍ਹਾਂ ਸੂਚਨਾਵਾਂ ਨੂੰ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਐਕਟ ਵਿੱਚ ਪ੍ਰਾਵਧਾਨ ਕੀਤਾ ਹੋਇਆ ਹੈ, ਜਿਸ ਨੂੰ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਕੋਈ ਮਨਾਹੀ ਨਹੀਂ ਹੈ, ਕੀ ਇਹ ਜਰੂਰੀ ਹੈ ਕਿ ਉਹ ਸੂਚਨਾ ਸੇਵਾ ਕੇਂਦਰ ਰਾਹੀਂ ਲੈਣੀ ਜਰੂਰੀ ਹੈ।
4. ਉਹ ਸੂਚਨਾਵਾਂ ਜਿਨ੍ਹਾਂ ਨੂੰ ਪ੍ਰਾਪਤ ਕਰਨ ਲਈ ਆਰ.ਟੀ.ਆਈ ਐਕਟ 2005 ਤਹਿਤ ਵੀ ਪ੍ਰਾਵਧਾਨ ਕੀਤਾ ਹੋਵੇ ਅਤੇ ਸੇਵਾ ਕੇਂਦਰ ਰਾਹੀਂ ਵੀ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕਰਨ ਦਾ ਪ੍ਰਾਵਧਾਨ ਕੀਤਾ ਹੋਵੇ, ਦੋਵਾਂ ਰਾਹੀਂ ਕਿਸੇ ਕਿਸਮ ਦੀ ਕੋਈ ਪਾਬੰਧੀ ਨਾ ਹੋਵੇ ਤਾਂ ਵਿਭਾਗ ਇਸ ਸੰਬੰਧ ਵਿੱਚ ਇਹ ਪਲੀਅ ਲੈ ਸਕਦਾ ਹੈ ਕਿ ਵਿਭਾਗ ਵੱਲੋਂ ਤਾਂ ਸੂਚਨਾ ਸੇਵਾ ਕੇਂਦਰ ਰਾਹੀਂ ਹੀ ਦਿੱਤੀ ਜਾਵੇਗੀ ਆਰ.ਟੀ.ਆਈ ਐਕਟ 2005 ਤਹਿਤ ਨਹੀਂ। ਇਸ ਸੰਬੰਧ ਵਿੱਚ ਸਪੱਸ਼ਟ ਜਾਣਕਾਰੀ ਲੋੜੀਂਦੀ ਹੈ। ਕੀ ਵਿਭਾਗ ਇਸ ਤਰ੍ਹਾਂ ਪਲੀਅ ਲੈ ਸਕਦਾ ਹੈ ਜਾਂ ਨਹੀਂ, ਸਪੱਸ਼ਟ ਜਾਣਕਾਰੀ ਲੋੜੀਂਦੀ ਹੈ।
5. ਹੱਕ ਸੂਚਨਾ ਐਕਟ 2005 ਤਹਿਤ ਵਿੱਚ ਪਾਰਦਰਸ਼ਿਤਾ ਲਿਆਉਂਦੇ ਹੋਏ ਆਮ ਜਨਤਾ ਦੀ ਸਹੂਲਤ ਲਈ ਬਣਿਆ ਹੈ, ਜਿਸਦੇ ਤਹਿਤ ਹਰੇਕ ਭਾਰਤੀ ਨਾਗਰਿਕ ਕਿਸੇ ਵੀ ਸਰਕਾਰੀ, ਅਰਧ ਸਰਕਾਰੀ, ਸੇਮੀ ਗੌਰਮਿੰਟ ਆਦਿ ਆਦਿ ਅਦਾਰਿਆਂ ਤੋਂ ਦਰਸਾਏ ਗਏ ਫਾਰਮ ਅਤੇ ਬਣਦੀ ਪ੍ਰੋਸੈਸਿੰਗ ਫੀਸ ਾਰ ਕੇ ਉਹ ਸੂਚਨਾ ਜਿਸਦੀ ਐਕਟ ਵਿੱਚ ਸੂਚਨਾ ਲੈਣ ਦੀ ਕਿਸੇ ਕਿਸਮ ਦੀ ਕੋਈ ਮਨਾਹੀ ਨਾ ਹੋਵੇ ਤਾਂ ਵਿਭਾਗ ਉਕਤ ਜਾਰੀ ਹੋਏ ਪੱਤਰ ਨੂੰ ਆਧਾਰ ਬਣਾ ਕੇ ਇਹ ਕਹਿ ਸਕਦਾ ਹੈ ਕਿ ਜੇਕਰ ਸੂਚਨਾ ਲੈਣੀ ਹੈ ਤਾਂ ਸੇਵਾ ਕੇਂਦਰ ਰਾਹੀਂ ਲਵੇ, ਇਸ ਬਾਰੇ ਸਪੱਸ਼ਟ ਜਾਣਕਾਰੀ ਲੋੜੀਂਦੀ ਹੈ।
6. ਦੇਖਣ ਵਿੱਚ ਆਇਆ ਹੈ ਕਿ ਆਮ ਨਾਗਰਿਕ ਨੂੰ ਜੇਕਰ ਕਿਸੇ ਪ੍ਰਕਾਰ ਦੀ ਦਸਤਾਵੇਜ਼ੀ ਸੂਚਨਾ ਵਿਭਾਗ ਪਾਸੋਂ ਲੋੜੀਂਦੀ ਹੋਵੇ ਤਾਂ ਉਹ ਆਰ.ਟੀ.ਆਈ ਐਕਟ 2005 ਤਹਿਤ ਨਿਰਧਾਰਿਤ ਫੀਸ ਤਰ ਕੇ ਵਿਭਾਗ ਤੋਂ ਦਸਤਾਵੇਜ਼ੀ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਕਰ ਲੈਂਦਾ ਹੈ

ਪਰੰਤੂ ਅਕਸਰ ਵਿਭਾਗਾਂ ਵੱਲੋਂ ਇਹ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਜੇਕਰ ਸੂਚਨਾ ਲੋੜੀਂਦੀ ਹੈ ਤਾਂ ਉਹ ਸੂਚਨਾ ਕੇਂਦਰ/ਸੇਵਾ ਕੇਂਦਰ ਵਿੱਚ ਫੀਸ ਭਰ ਕੇ ਪ੍ਰਾਪਤ ਕਰ ਸਕਦਾ ਹੈ, ਜੋ ਸੂਚਨਾ ਆਰ.ਟੀ.ਆਈ ਐਕਟ 2005 ਤਹਿਤ ਨਿਰਧਾਰਿਤ ਫੀਸ ਭਰ ਕੇ ਆਮ ਨਾਗਰਿਕ ਲੈ ਸਕਦਾ ਹੈ ਤਾਂ ਉਸਨੂੰ ਵਿਭਾਗ ਸੇਵਾ ਕੇਂਦਰ/ਸੂਚਨਾ ਕੇਂਦਰ ਰਾਹੀਂ ਸੂਚਨਾ ਲੈਣ ਲਈ ਕਿਸ ਆਧਾਰ ਤੇ ਹਦਾਇਤ ਕਰਦਾ ਹੈ। ਜਦੋਂ ਕਿ ਵਿਭਾਗ ਵੱਲੋਂ ਸੂਚਨਾ ਲਿਆਉਣ ਕਰਕੇ ਸੇਵਾ ਕੇਂਦਰ/ਸੂਚਨਾ ਕੇਂਦਰ ਨੂੰ ਵੀ ਭੇਜਣੀ ਹੁੰਦੀ ਹੈ ਪ੍ਰਾਚੀ ਨੂੰ ਵੀ ਭੇਜਣੀ ਹੁੰਦੀ ਹੈ।

# PUNJAB STATE INFORMATION COMMISSION

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Contd..p/2

Appeal Case No. 3717 of 2021

-2-

3. The representative of the respondents states that the complete information as available on record has already been supplied to the appellant with which the appellant agreed to.

4. It is appropriate to mention the decision of the Hon'ble Supreme Court of India in Civil Appeal No. 5665/2014 – Institute of Companies Secretaries of India Vs Paras Jain, and the relevant portion of the same is reproduced below:-

*“...Rule 4, The Right to Information (Regulation of Fees and Cost) Rules, 2005 which also entitles the candidates to seek inspection and certified copies of their answer scripts. In our opinion, the existence of these two avenues is not mutually exclusive and it is up to the candidate to choose either of the routes. Thus, if a candidate seeks information under the provisions of the Right to Information, then payment has to be sought under the Rules therein, however, if the information is sought under the Guidelines of the appellant, then the appellant is at liberty to charge the candidates as per its guidelines....”*

5. It is also appropriate to mention the decision of the Hon'ble Punjab and Haryana High Court in Civil Writ Petition No. 12016 of 2016 in Shakti Singh Vs State Information Commission, Haryana and others, and the relevant portion of the same is reproduced below:-

*“...12. The reply to this question is that there being no inconsistency under the RTI Act*

*and the provisions of the other statute/law, the option and prerogative is with the citizen to select and choose to exercise his right under such Act/law or the RTI Act. In case the citizen prefers to move an application under the RTI Act, Public Information Officer, on receipt of such request, shall proceed to take a decision thereon and provide information as a norm and any denial of the same must be in accordance with Sections 8, 9 and 11 only. The right to information, thus, cannot be denied under the RTI Act merely because a statutory mechanism is evolved and prescribed under an Act, which is also applicable, obliging a public authority to share the same by following a prescribed procedure subject to fulfilment of prescribed conditions. If it is held otherwise, it would negate and lead to derecognising the fundamental right to information as granted under the RTI Act, which is unacceptable.*

*13. The answers to the two questions as posed in para 6 above are;*

*(i) In case of any inconsistency between the provisions of RTI Act and other Act/law, the RTI Act shall prevail.*

*(ii) In case of an application preferred under the RTI Act where alternative procedure and conditions are prescribed under any other statute/law, the said application cannot be rejected and/or information denied on this ground. Such application shall be dealt with under the provisions of the RTI Act.*

Contd..p/3

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Appeal Case No. 3717 of 2021

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*14. In the light of the above, the impugned order dated 04.04.2016 (Annexure P-6) passed by the State Information Commission, Haryana, cannot sustain as the Commission has rejected the claim of the petitioner under the RTI Act proceeding upon the wrong assumption that the 6 of 7 Registration of Births and Deaths Act, 1969, being a legislation and statutory in nature, is not overridden by the RTI Act. It may be added here that the information under the RTI Act can only be denied if the same is exempted from disclosure of information under the provisions of RTI Act itself such as Sections 8, 9 and 11 thereof."*

Keeping in view the judicial pronouncements mentioned herein, the respondent authority has to supply the information under the RTI Act, 2005 after charging of fees as per the provisions of the RTI Act, 2005. But, it is also a fact that in case the appellant is seeking the information under the provisions of the RTI Act, 2005 then the other provisions of the Act have to be followed. Likewise in case the appellant is seeking the 3<sup>rd</sup> party information under the RTI Act, 2005, then the respondent authority has to adopt the procedure laid down under Section 11 of the RTI Act, 2005. After adoption of the procedure, the appropriate decision has to be taken by the respondent authority concerned.

The case is disposed of and closed, accordingly.

sd

(Suresh Arora)

Chief Information Commissioner,  
Punjab.

Dated: 20.12.2021

# PUNJAB STATE INFORMATION COMMISSION

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Sh. Sukhjinder Singh s/o Sh. Bachittar Singh  
r/o VPO Ghungranam  
District Ludhiana

....Appellant

Vs

Sh. Surinder Pal Singh **Reigstered**  
Public Information Officer  
o/o Tehsildar South  
District Ludhiana  
7889043853,

First Appellate Authority  
o/o Distt. Revenue Officer,  
District Ludhiana

....Respondents

Appeal Case No. 4803 of 2021  
(Video Conference Proceedings)

Present:- None on behalf of the Appellant.  
Smt. Harpreet Kaur, Clerk 9877177747 on behalf of respondents.

## ORDER

This order may be read with reference to the previous order dated 6.12.2021.

2. The appellant has sought the following information:-  
“1. Time period prescribed for depositing finalised mutations in the record room.  
2. Present postion of record pertaining to mutations No. 7885 and 7885/1 of Village Ghunrana.  
3. Please supply me certified copies of mutations number 7885 and 7885/1 of Village Ghunrana. “
3. The appellant is absent. However, the representative of the respondents states that the sought information comprising 71 pages has already been prepared and the same will be sent to the appellant through whatsapp and also by post to the appellant with a copy to the Commission. The representative of the respondents also sent the written reply, through whatsapp, filed by Sh. Surinder Pal Singh, Tehsildar South, District Ludhiana regarding show cause notice issued to him and also tenders unconditional apology for the delay occurred in this case. She also requested to withdraw the show cause notice issued to Sh. Surinder Pal Singh.
4. After the hearing is over, the appellant informed telephonically that he has received the information through whatsapp and also requested for the hard copy of the same.
5. Keeping in view the above, the respondent-Public Information Officer is directed to send a hard copy of the same to the appellant.

Contd..p/2

# PUNJAB STATE INFORMATION COMMISSION

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Appeal Case No. 4803 of 2021

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6. After considerations of the submissions made by the representative of the respondents the show cause notice issued to Sh. Surinder Pal Singh, Tehsildar South, District Ludhiana is hereby withdrawn.

7. Since, the copy of the information has already been sent to the appellant through whatsapp, therefore, the Commission is of the view that no further action is required to be taken in this case. Hence, the case is disposed of and closed. However, the liberty is granted to the appellant to approach the Commission within four weeks in case he does not receive the same.

sd

Dated: 20.12.2021

(Suresh Arora)  
Chief Information Commissioner,  
Punjab.



# PUNJAB STATE INFORMATION COMMISSION

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Smt. Suman Bala  
House No. 783,  
Top Floor Phase 7, Sector 61,  
Mohali 160062

....Appellant

Vs

Public Information Officer  
o/o Tehsildar,  
Amritsar-2,  
District Amritsar

First Appellate Authority  
o/o Deputy Commissioner,  
District Amritsar.

....Respondents

Appeal Case No. 5095 of 2021  
(Video Conference Proceedings)

Present:- Smt. Suman bala, appellant along with her husband Sh. Harvinder Kumar, in person.  
Shri Gurbakash Singh, Clerk 8558877624 on telephone, on behalf of the respondents.

## ORDER

The RTI application is dated 3.7.2021 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter called FAA) on 11.8.2021 and second appeal was filed in the Commission on 9.11.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

- The appellant has sought the following information:-  
“Regarding Khasra No. 30/17 & 30/18 Village Rakshikargah Amritsar.  
Kindly provide me information regarding Khasra Number 30/17, Khasra No. 30/18 shwon in Collector’s Proposed Rates in the year 2021-21 at Page Number 25 Serial Number 16 is an agriculture land in Vilage Rakshikargah. Kindly provide information that any share of land in these khasra Numbers is used for residential commercial, industrial project. “
- The representative of the respondents sent a copy of the information through email, which is taken on record. He also states that a hard copy of the same is also being sent to the appellant through registered post. A copy of the same has also been provided to the appellant during the hearing. After going through the information, the appellant states that he is satisfied with the same, and requested for a hard copy of the same.
- Since, the representative of the respondents assured that a hard copy of the information is also being sent to the appellant. Therefore, the Commission is of the view

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# PUNJAB STATE INFORMATION COMMISSION

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that no further action is required to be taken in this case. Hence, the case is disposed of and closed. A copy of the information so received from the respondent is also being sent to the appellant along with this order.

Dated: 20.12.2021

SD  
(Suresh Arora)  
Chief Information Commissioner,  
Punjab.